

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TIFFANY RECINOS,

Plaintiff,

v.

TIMOTHY L. WAKENSHAW,

Defendant.

CASE NO. 3:23-cv-5507

ORDER DISMISSING COMPLAINT

**ORDER**

This follows the Court’s Order to Show Cause dated August 14, 2023, directing Plaintiff Tiffany Recinos to show cause within 30 days why her Complaint against Washington Board of Industrial Insurance Appeals Judge Timothy L. Wakenshaw should not be dismissed under Federal Rule of Civil Procedure 12(h)(3) for lack of jurisdiction. Dkt. No. 51. The Court also directed Plaintiff to show why her claims against Judge Wakenshaw are not frivolous and to address whether her claims in this action are duplicative of her claims in Cause Nos. 2:23-cv-791, 3:23-cv-5097, 3:23-cv-5183, and 3:23-cv-5713. *Id.* The Court also directed Plaintiff to explain whether she intended her later-filed “complaints” in this action to take the place of the operative Complaint as amended pleadings. *Id.* Finally, in its previous order, the Court denied

1 Plaintiff's request to recuse from this matter and referred its order to Chief Judge Estudillo of the  
2 Western District of Washington as required under LCR 3(f), which Judge Estudillo affirmed on  
3 August 30, 2023. Dkt. Nos. 51, 56.

4 Although Plaintiff has submitted many filings since the Court's show cause order, none  
5 of her subsequent filings acknowledge the Order to Show Cause, explain why the Court has  
6 jurisdiction over Plaintiff's claims in the Complaint, nor do they address whether Plaintiff's  
7 claims against Judge Wakenshaw are frivolous or duplicative of Plaintiff's other actions. *See*  
8 Dkt. Nos. 51, 52-55, 57-66. Instead of explaining whether any of Plaintiff's numerous  
9 complaints were intended to constitute amendments to the Complaint, Plaintiff filed an  
10 "amended complaint" under Cause No. 23-cv-5713, as well as a complaint listing as defendants  
11 Mike Kreidler as "Insurance Commissioner" of Washington State and Multicare Health System.  
12 Dkt. Nos. 59-60. In a pleading titled "Letter to Judge JNW," Plaintiff states that Plaintiff was  
13 informed that Judge Wakenshaw and the Washington Board of Industrial Insurance Appeals "do  
14 not have [jurisdiction] over the BIIA case Recinos V Concerto/Fidelis . . ." Dkt. No. 57. Like  
15 Plaintiff's other filings, Plaintiff's letter does not address this Court's requests in its Order to  
16 Show Cause. *See id.*

17 In sum, Plaintiff failed to respond to the Order to Show Cause within 30 days as directed.  
18 *See* Dkt. 51. The Court concludes, for the reasons stated in its Order to Show Cause, that it does  
19 not have jurisdiction over Plaintiff's claims in the Complaint, that Plaintiff cannot maintain an  
20 action against Judge Wakenshaw, and that Plaintiff's claims are duplicative of claims in  
21 Plaintiff's other causes of action. Dkt. No. 51.

22 For the foregoing reasons, the Complaint is DISMISSED with prejudice. All pending  
23 motions in this matter, and any future pleadings filed under this docket, are to be STRICKEN as  
24 moot. This matter is to be closed.

1 It is so ORDERED.

2 Dated this 14th day of September, 2023.

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Jamal N. Whitehead  
5 United States District Judge  
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